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AMERICAN HONDA MOTOR CO., INC. and  
Defendant HONDA OF AMERICA MFG., INC.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

AMERICAN CALCAR, INC.,

Plaintiff,

v.

AMERICAN HONDA MOTOR CO., INC. and  
HONDA OF AMERICA MFG., INC.,

Defendants.

Civil No. 06-2433-DMS (CAB)

**AMERICAN HONDA'S NOTICE OF  
RENEWED MOTION AND RENEWED  
MOTION FOR JUDGMENT AS A  
MATTER OF LAW OF INVALIDITY OF  
THE '759 PATENT AND, IN THE  
ALTERNATIVE, MOTION FOR A NEW  
TRIAL**

HEARING: January 23, 2009  
TIME: 1:30 p.m.  
PLACE: Courtroom 10  
JUDGE: Honorable Dana M. Sabraw

**SPECIAL BRIEFING SCHEDULE SET**

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE THAT**, pursuant to Fed. R. Civ. P. 50(b), Defendants  
3 American Honda Motor Co., Inc. and Honda of America Mfg., Inc. (collectively, “American  
4 Honda”) renew their Motion for Judgment as a Matter of Law of Invalidity of the ’759 Patent.  
5 Before the case was given to the jury, pursuant to Fed. R. Civ. P. 50(a), American Honda  
6 moved for Judgment as a Matter of Law of Invalidity of the ’961 and ’759 patents (Dkt. #513).  
7 That motion and its supporting documents are incorporated by reference in the instant renewed  
8 motion. The instant renewed motion is further based upon: (1) American Honda’s brief in  
9 opposition to Calcar’s motions for judgment as a matter of law regarding invalidity of the ’961  
10 and ’759 patents (Dkt. #523); (2) the Federal Rules of Civil Procedure; (3) the files and records  
11 in this action; and (4) any and all other materials submitted to the Court on or before the time  
12 of its decision in this matter.

13 American Honda further moves, in the alternative, for a new trial, pursuant to Fed. R.  
14 Civ. P. 59.

15 American Honda will file its briefing in accordance with the Court’s instructions.  
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1 Dated: December 2, 2008

FISH & RICHARDSON P.C.

3 By: /s/Michael M. Rosen

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on December 2, 2008 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Civil Local Rule 5.4. Any other counsel of record will be served by electronic mail, facsimile and/or overnight delivery.

/s/Michael M. Rosen

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